

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ANDREA CACERES SHOKRANI,

Plaintiff,

v.

Case No.: 8:21-cv-12-DNF

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

OPINION AND ORDER

This matter is before the Court on the Unopposed Motion for Entry of Judgment with Remand. (Doc. 35). The parties consented to proceed before a Magistrate Judge for all proceedings. (Doc. 15). The Commissioner of Social Security seeks remand for the following reasons:

On remand, the agency will (1) evaluate fibromyalgia in accordance with SSR 12-2p; (2) consider Plaintiff's severe and non-severe impairments in assessing the residual functional capacity, (3) evaluate the medical opinions and prior administrative medical findings of record in accordance with 20 C.F.R. § 404.1520c, (4) evaluate Plaintiff's subjective complaints, including her allegations of limitations in her cervical spine and disabling fibromyalgia symptoms; (5) if warranted, re-evaluate Plaintiff's residual functional capacity; (6) If warranted, the ALJ will consult a vocational expert to determine the effects of Plaintiff's limitations on the occupational base. The ALJ will take any action necessary to complete the administrative record and issue a new decision.

(Doc. 35, p. 1). Plaintiff does not object to the relief requested. Thus, the Court will grant the motion.

Also pending is a Motion for Remand Under Sentence Six (Doc. 32). Based upon the agreed remand, the Court will moot this motion.

Accordingly, it is **ORDERED**:

- (1) The Unopposed Motion for Entry of Judgment with Remand (Doc. 35) is **GRANTED**.
- (2) The Opposed Motion for Remand Under Sentence Six (Doc. 32) is **MOOT**.
- (3) Pursuant to sentence four of 42 U.S.C. § 405(g), the decision of the Commissioner is reversed, and this case is remanded to the Commissioner for the Commissioner to:

(1) evaluate fibromyalgia in accordance with SSR 12-2p; (2) consider Plaintiff's severe and non-severe impairments in assessing the residual functional capacity, (3) evaluate the medical opinions and prior administrative medical findings of record in accordance with 20 C.F.R. § 404.1520c, (4) evaluate Plaintiff's subjective complaints, including her allegations of limitations in her cervical spine and disabling fibromyalgia symptoms; (5) if warranted, re-evaluate Plaintiff's residual functional capacity; (6) If warranted, the ALJ will consult a vocational expert to determine the effects of Plaintiff's limitations on the occupational base. The ALJ will take any action necessary to complete the administrative record and issue a new decision.

(2) The Clerk of Court is directed to enter judgment accordingly, terminate any pending motions and deadlines, and close the file.

DONE and **ORDERED** in Fort Myers, Florida on April 20, 2022.



DOUGLAS N. FRAZIER
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties